

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

IN RE:

Case No. BG 19-03329
Chapter 7

JEFFREY LEE CADARETTE,

Debtor.

IN RE:

Case No. BG 19-04299
Chapter 7

SCOTT SYZAK,

Debtor.

ORDER and NOTICE OF HEARING
REGARDING ALLEGED VIOLATION OF THE AUTOMATIC STAY
BY THE MICHIGAN DEPARTMENT OF CORRECTIONS

PRESENT: HON. JAMES W. BOYD
United States Bankruptcy Judge

The court has carefully reviewed the Michigan Department of Corrections' ("MDOC") *Responses to Orders to Show Cause* ("Response to Cadarette" at Dkt. No. 28 filed in the Jeffrey Lee Cadarette ("Cadarette") case and "Response to Syzak" at Dkt. No. 31 in the Scott Syzak ("Syzak") case). The Cadarette Response indicates that ". . . the facility . . . first became aware of this bankruptcy case" only when served with the Court's *Order to Show Cause* on December 4, 2019 (see Affidavit of James Dawson at Dkt. No. 28-1). The Syzak Response indicates that ". . . the Michigan Department of Corrections did not have knowledge of this bankruptcy action" until it received the Order to Show Cause (see Affidavit of Richard Russell at Dkt. 31-2).

However, in reviewing the Cadarette docket, the *Notice of Chapter 7 Bankruptcy Case* (Dkt. No. 12) was served on MDOC on August 25, 2019 and the *Order Denying Debtor's Request Regarding Sec. 341 Meeting of Creditors and Scheduling Hearing Regarding Alleged Violations of the Automatic Stay* (Dkt. No 16) was served on September 26, 2019. Each was served on the MDOC at the address indicated in its Responses as the correct address.

Similarly, in reviewing the Syzak docket, the *Notice of Hearing on the Debtor's Letter/Petition for a Court Order* (Dkt. No. 17) was served on November 5, 2019, at the same address for MDOC.

Additionally, in each case, the prison itself had made arrangements for the prisoner/debtor to appear telephonically at those hearings, which were well prior to the issuance of the Orders to Show Cause.

NOW THEREFORE, IT IS HEREBY ORDERED, and NOTICE BE GIVEN that a hearing regarding the alleged violation of the automatic stay by the Michigan Department of Corrections will be held at the United States Bankruptcy Court, One Division Avenue North, 3rd Floor, Courtroom B, Grand Rapids, MI 49503 on **February 20, 2020 at 9:00 a.m.**

IT IS FURTHER ORDERED that the Clerk shall serve a copy of this Order and Notice of Hearing pursuant to FED. R. BANKR. P 9022 and LGenR 5005-4 (W.D. Mich.) upon:

Jeffery Lee Cadarette
EC Brooks Correctional Facility
2500 S. Sheridan Drive
Muskegon, MI 49444

Scott Syzak (Inmate #215189)
Macomb Correctional Facility
34625 26 Mile Road
New Haven, MI 48048

Heidi E. Washington, Director
Michigan Department of Corrections
Grandview Plaza
206 E. Michigan Avenue
P.O. Box 30003
Lansing, MI 48909

State of Michigan
Department of Attorney General
ATTN: Corrections Division
G. Mennen Williams Building
525 W. Ottawa Street
P.O. Box 30212
Lansing, MI 48909

Office of the United States Trustee
The Ledyard Building, 2nd Floor
125 Ottawa N.W., Suite 200R
Grand Rapids, MI 49503

Lisa E. Gocha, Chapter 7 Trustee
(via CM-ECF notification)

Moe Freedman
Assistant Attorney General
3030 W. Grand Blvd.
Detroit, MI 48085

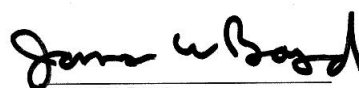
Jeff A. Moyer, Chapter 7 Trustee
(via CM-ECF notification)

END OF ORDER

IT IS SO ORDERED.

Dated February 5, 2020




James W. Boyd
United States Bankruptcy Judge